

HONORABLE RICHARD A. JONES

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLEINTELLECTUAL VENTURES I
LLC, et al.,

Plaintiffs,

v.

HYNIX SEMICONDUCTOR INC., et
al.,

Defendants.

CASE NO. C11-1145RAJ

ORDER

This matter comes before the court on a motion to stay (Dkt. # 54) from most of the Defendants in this action. Defendants ask the court to stay the action pending the disposition of a proceeding involving the same parties in the International Trade Commission, *In re Certain Dynamic Random Access Memory & NAND Flash Memory Devices & Products Containing Same*, No. 337-TA-803 (“ITC Proceeding”). Three of the Defendants who did not expressly join the motion (Defendants Wal-Mart Stores, Inc., Nanya Technology, and Nanya Technology Corporation, USA) later filed notices that they joined in the motion. Plaintiffs have recently filed a notice of voluntary dismissal of their claims against the remaining two Defendants (Pantech Co., Ltd. and Pantech Wireless, Inc.).

1 Plaintiffs do not oppose the motion for stay. They ask, however, that the court
2 rule that Defendants have waived “procedural rights, such as jurisdiction” by moving for
3 a stay. The court declines to address this argument, as Plaintiffs have not attempted to
4 explain what they mean by “procedural rights, such as jurisdiction.” If Plaintiffs wish to
5 explain what they mean, they may do so after the court lifts the stay.

6 The court orders as follows:

- 7 1) Plaintiffs’ claims against Pantech Co., Ltd. and Pantech Wireless, Inc. are
8 dismissed without prejudice in accordance with Plaintiffs notice of voluntary
9 dismissal (Dkt. # 64) and Fed. R. Civ. P. 41(a)(1)(A)(i). The court directs the
10 clerk to TERMINATE Pantech Co., Ltd. and Pantech Wireless, Inc. as parties.
11 2) The court GRANTS the motion to stay. Dkt. # 54. The court STAYS this
12 action pending resolution of the ITC Proceeding or further order of this court.
13 Plaintiffs are responsible for informing the court of any developments in the
14 ITC Proceeding that might affect the stay.

15 Dated this 14th day of October, 2011.

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18 The Honorable Richard A. Jones
19 United States District Court Judge
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